

# COMMITTEE REPORT

Mr. Speaker: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedures, to which was referred Engrossed House Bill 1378 because it conflicts with HEA 1473-2003 without properly recognizing the existence of HEA 1473-2003, has had Engrossed House Bill 1378 under consideration and begs leave to report back to the House with the recommendation that Engrossed House Bill 1378 be corrected as follows:

- 1           In the conference committee report to EHB 1378, page 1, delete
- 2           lines 13 through 20.
- 3           In the conference committee report to EHB 1378, page 2, delete
- 4           lines 1 through 4, begin a new paragraph and insert:
- 5           "SECTION 2. IC 36-1-6-2, AS AMENDED BY HEA1473-2003,
- 6           SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 7           JULY 1, 2003]: Sec. 2. (a) If a condition violating an ordinance of a
- 8           municipal corporation exists on real property, officers of the municipal
- 9           corporation may enter onto that property and take appropriate action to
- 10          bring the property into compliance with the ordinance. However,
- 11          before action to bring compliance may be taken, all persons holding a
- 12          substantial interest in the property must be given a reasonable
- 13          opportunity **of at least ten (10) days but not more than sixty (60)**
- 14          **days** to bring the property into compliance. If the municipal
- 15          corporation takes action to bring compliance, the expenses incurred by
- 16          the municipal corporation to bring compliance constitute a lien against
- 17          the property. The lien is superior to all other liens except liens for
- 18          taxes, in an amount that does not exceed:
- 19               (1) two thousand five hundred dollars (\$2,500) for real property
- 20               that:
- 21                   (A) contains one (1) or more occupied or unoccupied single or
- 22                   double family dwellings or the appurtenances or additions to
- 23                   those dwellings; or
- 24                   (B) is unimproved; or
- 25               (2) ten thousand dollars (\$10,000) for all other real property not

1 described in subdivision (1).".

(Reference is to the EHB 1378 as printed April 4, 2003, and to the  
Conference Committee Report to EHB 1378.)

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Representative Pelath, Chairperson

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Representative Whetstone, R.M.M.

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Representative Day, Author